

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**JASON HOLLOWAY**

**PLAINTIFF**

**v.**

**No. 1:13CV218-NBB-SAA**

**ALCORN COUNTY, ET AL.**

**DEFENDANTS**

**JUDGMENT**

Having considered the file and records in this action, including the Report and Recommendation of the United States Magistrate Judge and the objections to the Report and Recommendation, the court finds that the plaintiff's objections are without merit and that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. It is ordered:

1. That the plaintiff's objections to the Magistrate Judge's Report and Recommendation are **OVERRULED**;
2. That the Report and Recommendation of the United States Magistrate Judge is hereby **APPROVED AND ADOPTED** as the opinion of the court; and
3. That the plaintiff's claims regarding general conditions of confinement and failure to protect are **DISMISSED** with prejudice for failure to state a claim upon which relief could be granted.
4. That defendants Nurse Ben "Doe," Wes Odle, Jim Horton, Donna Rickman, Mary Thrasher, Sergeant Allstat, Officer Bob Hawkins, and Dr. Carl Welsh should be and are **DISMISSED** with prejudice.
5. That the plaintiff's claims for use of excessive force, denial of medical care, denial of access to the courts, and mail tampering may **PROCEED** as to the remaining defendants: Alcorn County, Sheriff Charles Rinehart, Jail Administrator Pat Marlar, Lt. Steve Odle, Warden

Doug Mullen, Officer Hudson, Officer Tate, and Nurse Lee Holder.

**SO ORDERED**, this, the 14<sup>th</sup> day of May, 2014.

/s/ Neal Biggers  
NEAL B. BIGGERS  
SENIOR U. S. DISTRICT JUDGE